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REMARKS:

Claims 15-19 and 22 are in the case and are presented for consideration.

Claim 15 has been amended to further emphasize the resistance the one-piece silicon tray has to deformation under load and also resistance to temperatures of ovens which are set to make confectionery and breads. The temperature and deformation resistance characteristics are set forth in the specification and have been added to help better distinguish the silicone of the tray in the claims from so-called RTV or room temperature vulcanization silicones of the type disclosed in the patent to Maurino et al.

Turning to the official action, the subject matter objected to by the examiner as containing new matter has been canceled from the specification. Claims 20 and 21 which have not been considered have also been canceled.

The specification and claims are now, therefore, believed to be in proper form under 35 U.S.C. 112.

No new matter has been added in claim 15 as now amended since the specification clearly supports the deformation resistance characteristic of the silicone and also the fact that the silicone must be capable of resisting temperatures of ovens that are meant to make confectionery and breads. See, for example, the specification as page 1, line 18 and page 3, lines 15-17.

Claims 15-19 have been rejected as being fully anticipated by

Maurino.

In the mid-70s when Maurino was filed and granted, RTV silicones were available, but did not have the deformation or temperature resistance of the silicone of the present invention which is vulcanized at elevated temperatures. Please note that Maurino gives silistic RTV silicone rubber as an example of its material (Maurino at col. 3, lines 1-3) and no other type of silicone.

Attached to this amendment, please find a letter with attachments from a silicone manufacturer (Exhibit A) explaining some of the attributes of RTV silicones and the fact that they are generally fiberglass supported or have metal frames for support since they are not hard enough to resist deformation on their own.

Attached also find Exhibit B which is a set of photographs of various trays made in accordance with the present invention showing how they can be deformed under force to dislodge breads or confectionery baked within their receptacles, but then pop back to shape.

Their self-supporting nature is also disclosed in some of the photographs.

RTV silicones, such as those disclosed in Maurino, have the following characteristics:

1. A very low hardness (15-50 shorA);
2. A very low mechanical resistance; and

3. A very high elongation.

Because of these characteristics, it is necessary to provide a rigid support structure such as box P in Fig. 2 of Maurino as well as a bottom restraining ring 11, to avoid deformation of the mould when it is filled with a product. It is also necessary to provide the support box P to suspend the mould above the bottom of the box to allow the mould to expand when the vacuum is applied so as to allow the extraction of a product (see Fig. 3 of Maurino).

Because of the poor mechanical characteristics of the RTV silicone product cannot simply be extracted by deforming the bottom of a mould upwardly as shown in some of the Exhibit B photographs.

Claim 15 has also been amended to explain that no other reinforcement is provided in any other sections of the tray other than the wing. This is currently shown in all embodiments of the invention and no new matter has been added in this regard either.

Turning to Maurino, the metallic ring 7 at the upper flange of Maurino is provided to help fasten the mould to the top of the support box P only and not to make the tray self-supporting or capable of extracting its contents without some special mechanism, namely, the box P and a vacuum system.

The present invention provides the following advantages:

1. Better handling of the mould which is not deformed when handled;
2. No need for an external support box that would

- increase the dimension of the hole with problems when the mould is to be inserted into an oven; and
3. Easy extraction of product by simply pushing up on the bottom of the reservoirs in the mould as shown in the photographs.

In fact, Maurino discloses a mould which is not a sheet-like mould. The Maurino mould is made of distensible material and has thick walls which can be stretched, expanded and distended. This mould necessitates two annular restraining members, one upper restraining member 7 embedded in flange 5 and a lower restraining ring 11 embedded in the periphery of the bottom wall.

Evidently, and in spite of these two restraining members, the mould of Maurino does not resist deformation; on the contrary, the mould by Maurino is specially construction so as to be adapted to be distended.

Summarizing, Maurino does not anticipate amended claim 15.


New claim 22 also better distinguished the invention over the prior art.

The Commissioner is hereby authorized to charge Deposit Account No. 14-1431 for any additional fees which may be due under 37 C.F.R. 1.16 or 1.17.

By this Amendment thus the application and claims are believed to be in condition for allowance and favorable action is

respectfully requested.

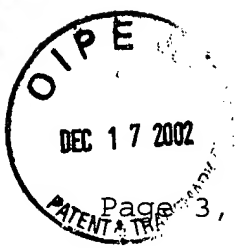
Respectfully submitted,



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Dated: December 10, 2002

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Version with markings to show changes made

U.S. Appin No. 09/975,230

Page 3, before the paragraph beginning on line 3, insert the heading --BRIEF DESCRIPTION OF THE DRAWINGS--; and on page 3, before the paragraph beginning on line 9, insert the heading --DESCRIPTION OF THE PREFERRED EMBODIMENTS--.

Page 3, please correct the paragraph beginning on line 9, to read as follows:

--With reference to the attached figures, 1 indicates in its whole, a mould according to the invention, essentially consisting of a tray 2 ~~made of walls with substantially consistent thickness and in~~ which the product to be cooked or heated is inserted and that is provided, on the upper side of its diverging side walls, with an edge 3 essentially consisting of a wing projecting outwards and which projects by a greater extent than its width. The bottom wall of tray 2 is flat.--

IN THE CLAIMS:

Cancel claims 1-8 inclusive and substitute therefore the following claims:

--9. A flexible mould for confectionary and bread-making, comprising:

a silicone tray comprising a bottom wall and side walls extending upwardly from the bottom wall, each side wall having an upper edge;

the silicone tray including a silicone wing extending

WordPerfect Document Compare Summary

Original document: M:\PAT-AMDJ118-104-15.wpd

Revised document: M:\PAT-AMDJ118-104-15Amd.wpd

Deletions are shown with the following attributes and color:

~~Strikeout~~, Blue RGB(0,0,255).

Deleted text is shown as full text.

Insertions are shown with the following attributes and color:

Double Underline, Redline, Red RGB(255,0,0).

Version with markings to show changes made
U.S. Appin No. 09/975,230

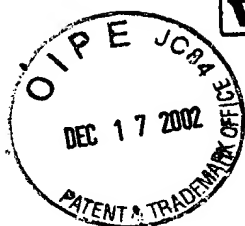
The document was marked with 5 Deletions, 9 Insertions, 0 Moves.

~~15~~ --15. (Amended) A flexible mould for confectionery and bread-making, comprising:

a one-piece silicone sheet-like self-supporting tray comprising a bottom wall, side walls extending upwardly from the bottom wall, each side wall having an upper edge and including a silicone peripheral wing extending outwardly from the upper edge of each of the side walls around the perimeter of the side walls, said wing having a peripheral edge, the silicone being of the type that has resistance and flexibility and resists temperatures of an oven for making confectionery and breads; and

a stiffening element in the form of a wing stiffening element fixed to the wing near the peripheral edge of said wing and extending entirely around said wing,

said stiffening element being ~~adapted~~ so constructed as to stiffen said ~~wing~~ mould in order to give the mould the resistance required to carry weight of a product in the mould without being deformed while keeping the flexible features and in order to make it possible to lift the mould by the wing so that the ~~wing~~ mould resists deformation under strain caused by content^A of the mould. ---

EXHIBIT A**DR. JUERGEN WEIDINGER**
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21. Oktober 2002

An/To Mr. Dott. Bruno Meroni

Fa./Co. SILITAL SPA

Fax 0039 -02 - 0039-02-95939099

8 Seite(n) Incl. Deckblatt

RTV and heat curing silicone rubbers -differences in stiffness and nervousity

Dear Dott. Meroni,

please find attached some copies of data sheets of some typical representants of RTV (room temperature vulcanizable) and heat curing silicone rubber (taken from our brochures).

As you can clearly see the RTV silicones (e.g. typically ELASTOSIL® M 1470) are much less stiffer than the heat curing one (e.g. ELASTOSIL® LR 3003) which one can see from the hardness as well as from the general mechanical strength. Both are obviously higher at the heat curing rubbers indicating higher stiffness and nervousity and thus meaning that parts made of these materials do not or not necessarily need a support in shaping applications as parts made of RTV normally do.

In general, molds made of RTV are supported by glass fiber, metal frame etc. Molds made of heat curing silicone are usually made of material with a hardness of 60 shore A and higher (as you can see 60 shore is the hardest possible in RTV at special grades), preferably of 70 Shore A. Molds of e.g. ELASTOSIL® LR 3003/70 are much more stiffer and thus can stand and keep their shape without further support or inlay. When inlays are used within these silicones this is mostly not for stabilizing but more or less for better handling e.g. in cleaning and storage.

With best regards

Dr. Juergen Weidinger

Sitz München
Amtsgericht München HRB 3499
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Joachim Rauhut
Wilhelm Sittenhaler
Rudolf Staudigl
Vorsitzender des Aufsichtsrats:
Karl Heinz Weiss

ELASTOSIL[®] M Properties

RTV *core*

ELASTOSIL [®]	Consistency	Properties of the cured rubber	Special features	Viscosity of the ready-to-use mix [mPa·s]
M 1470	Kneadable pink	Hard; high mechanical strength	General-purpose grade	> 1 000 000
M 2471	Spreadable pale grey	Hard; high mechanical strength	General-purpose grade	> 250 000
M 3500	Spreadable, non-sag translucent	Soft; outstanding extensibility and mechanical strength	For skin moulds	> 1 000 000
M 3502	Spreadable, non-sag white	Soft; high extensibility and mechanical strength	For skin moulds; outstanding resistance to polyester and polyurethane resins	> 1 000 000
M 4400	Pourable pale yellow	Soft; high extensibility	General-purpose grade	25 000
M 4440	Pourable beige	Moderately hard	General-purpose grade	20 000
M 4441	Pourable white	Moderately hard	High resistance to polyurethane resins	7 000
M 4470	Pourable reddish brown	Hard	High thermostability and thermal conductivity	10 000
M 4500	Pourable white	Very soft; excellent extensibility and high mechanical strength	High resistance to polyester resins	20 000
M 4502	Pourable beige	Soft; high extensibility and mechanical strength	High resistance to polyester resins	30 000
M 4503	Pourable white	Soft; high extensibility and mechanical strength	General-purpose grade	40 000
M 4511	Pourable white	Very soft; excellent extensibility and mechanical strength	Outstanding resistance to polyester and polyurethane resins	20 000
M 4512	Pourable white	Soft; excellent extensibility and mechanical strength	Outstanding resistance to polyester and polyurethane resins	25 000
M 4514	Pourable white	Soft; excellent extensibility and mechanical strength	Outstanding resistance to polyester and polyurethane resins	25 000
M 4540	Pourable white	Moderately hard; high extensibility and mechanical strength	High resistance to polyurethane resins	55 000
M 4541	Pourable white	Moderately hard; high extensibility and excellent mechanical strength	Outstanding resistance to polyester and polyurethane resins	25 000
M 4545	Pourable white	Moderately hard; high extensibility and excellent mechanical strength	Outstanding resistance to polyester and polyurethane resins	35 000
M 4370 A/B	Pourable reddish brown	Hard	High thermostability and thermal conductivity	8 000
M 4800 A/B	Pourable translucent	Soft; excellent extensibility and mechanical strength	General-purpose grade	15 000
M 4601 A/B	Pourable reddish brown	Soft; excellent extensibility and mechanical strength	General-purpose grade	15 000
M 4640 A/B	Pourable transparent	Moderately hard; high mechanical strength	High resistance to polyurethane and epoxy resins	70 000
M 4642 A/B	Pourable dark red	Moderately hard; high extensibility and excellent mechanical strength	General-purpose grade	15 000
M 4643 A/B	Pourable grey	Moderately hard; high mechanical strength	High resistance to polyurethane and epoxy resins	25 000
M 4644 A/B	Pourable transparent	Moderately hard; high mechanical strength; self-releasing	Excellent resistance to polyurethane and epoxy resins	50 000
M 4647 A/B	Pourable crystal-clear	Moderately hard; high mechanical strength	Excellent resistance to polyurethane and epoxy resins	70 000
M 4648 A/B	Pourable translucent	Moderately hard; high mechanical strength; self-releasing	Excellent resistance to polyurethane and epoxy resins	15 000
M 4670 A/B	Pourable beige	Hard; high mechanical strength	High resistance to polyurethane and epoxy resins	80 000

Addition cure

These figures are intended as a guide
should not be used in preparing specifications

	Viscosity of the ready-to- use mix [mPa s]	Density (DIN 53479A) [g/cm ³]	Hardness Shore A (DIN 53505)	Tensile strength (DIN 53604 S3A) [N/mm ²]	Tensile strength (DIN 53504 S3A) [psi]	Elongation at break (DIN 53504 S3 A) [%]	Tear strength (ASTM D624 B) [N/mm]	Tear strength (ASTM D624 B) [psi]	Linear shrinkage 7 days [%]
side	> 1 000 000	1.28	50	4.5	650	230	> 10	> 57	0.
side	> 250 000	1.20	55	4.5	650	170	> 7	> 40	0.
	> 1 000 000	1.10	20	4.0	580	700	> 30	> 170	0.
ending r and is	> 1 000 000	1.25	26	4.5	650	450	> 23	> 130	0.4
side	25 000	1.30	23	2.0	290	250	> 3	> 17	0.7
side	20 000	1.22	37	2.5	360	200	> 3	> 17	0.4
	7 000	1.22	45	2.0	290	130	> 3	> 17	0.3
ly ivty	10 000	1.44	60	4.5	650	120	> 4	> 23	0.8
	20 000	1.20	14	3.0	435	450	> 18	> 85	0.6
	30 000	1.28	22	3.5	510	350	> 16	> 90	0.5
side	40 000	1.16	25	5.0	725	350	> 20	> 115	0.5
o poly- resins	20 000	1.22	12	3.5	510	600	> 18	> 105	0.4
o poly- resins	25 000	1.19	20	3.5	510	500	> 24	> 140	0.4
o poly- resins	25 000	1.25	25	4.5	650	450	> 25	> 145	0.4
	55 000	1.19	33	5.0	725	300	> 18	> 105	0.5
o poly- resins	25 000	1.16	30	5.0	725	400	> 30	> 170	0.5
o poly- resins	35 000	1.20	35	5.5	800	400	> 25	> 145	0.5
and ly	8 000	1.43	55	3.0	435	130	> 4	> 23	< 0.1
side	15 000	1.10	20	7.0	1015	800	> 20	> 115	< 0.1
side	15 000	1.13	28	6.5	945	700	> 30	> 170	< 0.1
resins	70 000	1.10	43	6.0	870	400	> 20	> 115	< 0.1
side	15 000	1.14	37	7.0	1015	550	> 30	> 170	< 0.1
resins	25 000	1.35	48	5.0	725	300	> 10	> 57	< 0.1
to resins	50 000	1.07	40	5.5	800	400	> 25	> 145	< 0.1
to resins	70 000	1.02	45	4.5	650	250	> 10	> 57	< 0.1
to resins	15 000	1.11	38	6.0	870	400	> 20	> 115	< 0.1
resins	80 000	1.34	55	5.5	800	300	> 12	> 70	< 0.1

ELASTOSIL® M is a registered trademark of Wacker-Chemie GmbH

Flüssigsilikonkautschuk / Liquid Silicone Rubber Wacker Silicone

HEAT CURING SILICONE

ELASTOSIL® LR 3003 / 10 A, B – LR 3003 / 80 A, B

Kennzeichen

Flüssigsilikonkautschuke der Reihe ELASTOSIL® LR 3003 sind pastöse, leicht pigmentierbare Zweikomponentenmischungen mit sehr kurzen Vulkanisationszeiten. Ihre Vulkanisate zeichnen sich durch hohe Transparenz und sehr gute mechanische und elektrische Eigenschaften aus. Bei Zusatz von Hitzestabilisatoren können die Produkte zwischen -55°C und $+230^{\circ}\text{C}$, kurzzeitig bis $+300^{\circ}\text{C}$, eingesetzt werden.

Anwendung

Diese Qualitäten eignen sich besonders zur kostengünstigen Produktion größerer Serien von Formartikeln im Spritzgießverfahren. Teile aus ELASTOSIL® LR 3003 können im technischen, lebensmittelnahen oder pharmazeutischen Bereich eingesetzt werden. Für medizinische Anwendungen eignen sich die Typen ELASTOSIL® LR 3003/20–80.

Nähere Informationen hierzu finden Sie in der Broschüre „ELASTOSIL® LR Flüssigsilikonkautschuk – Eigenschaften und Verarbeitung“.

Getemperte Teile eignen sich für Anwendungen im Pharma- und Lebensmittelbereich und entsprechen den Empfehlungen des BgVV „XV. Silicone“ und FDA § 177.2600.

Verarbeitung

Die A- und B-Komponenten werden verarbeitungsfertig in 20-l- und 200-l-Fässern angeliefert. Mit gängigen Dosieranlagen kann das Material aus den Originalgebinden direkt in die Spritzgießmaschine gepumpt und über einen statischen Mischer vermischt werden. Das Mischungsverhältnis beträgt 1:1.

Gemische von A- und B-Komponenten weisen bei Raumtemperatur eine Verarbeitungszeit (Topfzeit) von mindestens drei Tagen auf.

Ausführliche Hinweise zur Verarbeitung finden Sie in der Broschüre „ELASTOSIL® LR Flüssigsilikonkautschuk – Eigenschaften und Verarbeitung“ und im Merkblatt „Spritzgießverarbeitung von ELASTOSIL® LR“.

Characteristics

Liquid silicone rubbers of the ELASTOSIL® LR 3003 series are paste-like, easily-pigmentable two-component compounds with very short curing times. Their vulcanizates are noted for their high transparency and excellent mechanical and electrical properties. When heat stabilizers are added, the products can be used within a temperature range of -55°C to $+230^{\circ}\text{C}$, and for a short time up to 300°C .

Applications

These grades are particularly suitable for the economical production of large series of injection-moulded articles. Parts made from ELASTOSIL® LR 3003 can be used for technical and pharmaceutical applications. These articles are also suitable for use in conjunction with foodstuffs.

For further information, please refer to our brochure „ELASTOSIL® LR Liquid Silicone Rubber – Properties and Processing“.

Postcured parts can be used for applications in the pharmaceutical and food industries and comply with the recommendations „XV. Silicone“ of the BgVV and FDA § 177.2600.

Processing

The A and B components are delivered ready-to-use in 20-l and 200-l drums. With standard metering equipment, the products can be pumped directly from the original containers into the injection moulding machine and mixed in a static mixer. The mixing ratio is 1:1.

At room temperature, a mixture of A and B components has a pot life of at least three days.

For detailed information, please refer to our brochure „ELASTOSIL® LR Liquid Silicone Rubber – Properties and Processing“ and our leaflet „Injection moulding of ELASTOSIL® LR“.

Eigenschaften / Product data

ELASTOSIL®		LR 3003 / 10 A, B	LR 3003 / 20 A, B
Aussehen Appearance		transparent	transparent
Dichte Density	DIN 53 479 A	[g/cm³] 1.08	1.10
Viskosität (Schergeschwindigkeit 0,9 s⁻¹) Viscosity (shear rate 0.9 s⁻¹)		[mPa s] 140 000	200 000
Viskosität (Schergeschwindigkeit 10 s⁻¹) Viscosity (shear rate 10 s⁻¹)		[mPa s] 85 000	90 000

Mechanische Eigenschaften / Mechanical properties

vulkanisiert 5 min 165 °C, getempert
vulcanized for 5 min at 165 °C, postcured

Härte, Shore A Hardness, Shore A	DIN 53 505		12	23
Reißfestigkeit Tensile strength	DIN 53 504-S 1	[N/mm²]	3.0	7.9
Reißdehnung Elongation at break	DIN 53 504-S 1	[%]	620	750
Weiterreißwiderstand Tear resistance	ASTM D 624 B	[N/mm]	9	21
Rückprallelastizität Impact resilience	DIN 53 512	[%]	41	50
Druckverformungsrest* Compression set**	DIN 53 517/ 22 h / 175 °C	[%]	12	12

* Temperung 6 h / 200 °C / ** Postcured for 6 h at 200 °C

Elektrische Eigenschaften / Electrical properties

getempert / postcured

Typenreihe ELASTOSIL® LR 3003 / ELASTOSIL® LR 3003 series

Durchschlagfestigkeit, 1-mm-Platte Dielectric strength, 1-mm sheet	VDE 0303	[kV/mm]	23
Spezifischer Durchgangswiderstand Volume resistivity	VDE 0303	[Ω x cm]	5 x 10¹³
Dielektrizitätskonstante bei 50 Hz Dielectric constant at 50 Hz	VDE 0303		3.1
Dielektrischer Verlustfaktor tan δ bei 50 Hz Dissipation factor tan δ at 50 Hz	VDE 0303		30 x 10⁻⁴
Kriechstromfestigkeit Tracking resistance	DIN 53 480		KA 3 c

Diese Angaben stellen Richtwerte dar und sind nicht zur Erstellung von Spezifikationen bestimmt.
These figures are intended as a guide and should not be used in preparing specifications.

LR 3003/30 A, B	LR 3003/40 A, B	LR 3003/50 A, B	LR 3003/60 A, B	LR 3003/70 A, B	LR 3003/80 A, B
transparent	transparent	transparent	transparent	transparent	transparent
1.10	1.12	1.12	1.13	1.16	1.19
250 000	850 000	900 000	1 000 000	2 500 000	2 600 000
100 000	360 000	360 000	380 000	1 300 000	540 000

32	42	52	61	70	78
7.6	9.5	9.5	9.7	9.8	8.3
620	620	470	370	320	240
20	26	31	29	26	14
60	55	63	68	60	65
12	12	12	12	19	12

Vulkanisationsbedingungen / Cure conditions

Mischungsverhältnis Mixing ratio	A : B = 1 : 1
Preßvulkanisation Press cure	5 min / 165 °C
Temperung (im Umluftofen mit Frischluftzufuhr) Postcure (in circulating air oven with fresh air supply)	4 h / 200 °C

Lagerbeständigkeit

ELASTOSIL® LR 3003/10 A, B – LR 3003/80 A, B besitzen eine Lagerbeständigkeit von mindestens 6 Monaten, sofern die original verschlossenen Gebinde bei 25 °C gelagert werden. Das Mindesthaltbarkeitsdatum der jeweiligen Charge ist auf dem Produktetikett angegeben.

Da der Platinkatalysator insbesondere durch Amine, Schwefel- und Phosphorverbindungen vergiftet werden kann, sollen angebrochene Gebinde stets verschlossen gelagert werden.

Eine Lagerung über den angegebenen Zeitraum hinaus bedeutet nicht notwendigerweise, daß die Ware unbrauchbar ist. Eine Überprüfung der für den jeweiligen Einsatzzweck erforderlichen Eigenschaftswerte ist jedoch in diesem Falle aus Gründen der Qualitätssicherung unerlässlich.

Sicherheitstechnische Hinweise

Ausführliche Hinweise enthalten die jeweiligen Sicherheitsdatenblätter. Diese können bei unseren Vertriebsgesellschaften angefordert werden.

Storage stability

ELASTOSIL® LR 3003/10 A, B – LR 3003/80 A, B have a shelf life of at least 5 months if stored in originally sealed containers at 25 °C. The "Best use before end" date of each lot is shown on the product label.

Once opened, containers should always be resealed after use to prevent the platinum catalyst from being poisoned by amines, sulphur or phosphorus compounds.

If the material is kept beyond the recommended shelf life, it is not necessarily unusable, but a quality control should be performed on the properties relevant to the application.

Safety instructions

Comprehensive instructions are given in the corresponding Material Safety Data Sheets. They are available on request from Wacker subsidiaries.

Die in diesem Merkblatt mitgeteilten Daten entsprechen dem derzeitigen Stand. Der Abnehmer ist von sorgfältigen Eingangsprüfungen im Einzelteil hierdurch nicht entbunden. Änderungen der Produkteinheiten im Rahmen des technischen Fortschritts oder durch betrieblich bedingte Weiterentwicklung behalten wir uns vor. Die in diesem Merkblatt gegebenen Empfehlungen erfordern wegen der durch uns nicht beeinflussbaren Faktoren während der Verarbeitung, insbesondere bei der Verwendung von Rohstoffen Dritter, eigene Prüfungen und Versuche. Unsere Empfehlungen entbinden nicht von der Verpflichtung, eine evtl. Verletzung von Schutzrechten Dritter selbst zu überprüfen und ggf. zu beseitigen. Verwendungsvorschläge begründen keine Zusicherung der Eignung für den empfohlenen Einsatzzweck.

The data presented in this leaflet are in accordance with the present state of our knowledge, but do not absolve the user from carefully checking all supplies immediately on receipt. We reserve the right to alter product constants within the scope of technical progress or new developments. The recommendations made in this leaflet should be checked by preliminary trials because of conditions during processing over which we have no control, especially where other companies' raw materials are also being used. The recommendations do not absolve the user from the obligation of investigating the possibility of infringement of third parties' rights and, if necessary, clarifying the position. Recommendations for use do not constitute a warranty, either express or implied, of the fitness or suitability of the product for a particular purpose.

München, Mai 1998



Qualitätsmanagementsystem
nach DIN EN ISO 9001

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